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76-0005

2 JAN 1976

MEMORANDUM FOR: Deputy Director for Administration

SUBJECT : OP Goals Relative to Objective OMS-A 07-76

1. This is in response to your request for information relating to the goals this Office has in pursuing a joint objective with OMS in dealing with Agency counseling services. Since career counseling is now required by Agency regulation its effectiveness and its impact on employees is being evaluated under objective OP-D 01-76 which deals with the implementation of recommendations approved under the PASG study.

2. Employee counseling occurs within many different components of the Agency. Both OMS and OP are interested in determining the scope of current employee counseling efforts and in ensuring that those involved in this function are identified and have a measure of appropriate training. Basically OP's goal in this regard is to establish whether current personnel counseling activities are responsive to the needs of employees and whether employees are aware of the various areas of counseling available to them. This goal is based on the proposition that the various Agency counseling services enhance the employee's overall adjustment in the working environment and thus increase employee effectiveness.

3. The function of counseling is to help individuals to help themselves when they are confronted with difficult decisions or problems of adjustment. The newly formed "Careers Committee," for example, illustrates the kind of actions taken by Agency management with the support of the Office of Personnel to assist employees in making personal career-related decisions. This Committee lists as one of its objectives "to encourage the development of realistic expectations among Agency employees relative to their Agency careers by . . . informing them of specific facts, policies and other considerations bearing on employee career development and reassignment decision making." As the new directions in personnel management establish employee counseling as an activity of value to the Agency and to the employee, the Office of Personnel feels that an effective counseling program as a management tool will promote both increased efficiency and effectiveness in the Agency workforce.

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(Signed) F. W. M. Janney

F. W. M. Janney
Director of Personnel

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\$256 WILL BE SPENT PER EMPLOYEE by the average company in 1976. A survey of the American Society for Personnel Administration, conducted by the Bureau of National Affairs, Inc., reported that personnel costs will increase as much as eight percent for most companies.

For 1976, personnel program budgets range from \$47 to \$2121, but this amount represents only 1.1 percent of the typical company's total operating budget. The total personnel department expenditures in ASPA companies responding to the survey were from \$52,715 to \$4.5 million last year, with \$55,083 to \$4.8 million budgeted for 1976. These figures represent medians of \$288,423 in 1975 and \$380,000 in 1976. This compares with medians of \$200,000 in 1973 and \$245,800 in 1974 when the last survey of this type was conducted.

Two-fifths of the responding companies said they had hired professional/technical or managerial staff persons in 1975. This included only 30 percent of the small firms, but 50 percent of the large ones. Some 38 percent of those hired filled middle management positions, 31 percent filled first-level supervisory positions and 27 percent filled nonmanagerial positions. Requirements for the positions filled included a college degree in nearly three-fourths of the cases. For about one-half of the positions, some experience, most often as much as five years, in addition to college was required.

EEOC POLICIES FOR PREGNANT EMPLOYEES was upheld by the Supreme Court in two cases which were decided last fall, reports the *Regional Affirmative Action Clearinghouse Newsletter*, published by the San Diego County Human Relations Commission.

In its "Guidelines on Sex Discrimination," Section 1604.10, amended April 1972, the Equal Employment Opportunity Commission asserts that pregnancy and its related conditions are to be treated essentially like any other temporary employee disability. The guidelines stipulate that a policy

requiring mandatory leave for pregnant women presumptively violates Title VII of the 1964 Civil Rights Act. Disabilities caused or attributed to pregnancy or childbirth are, in the Commission's view, temporary disabilities and should be treated as such under any health or temporary disability insurance or sick leave plan.

In jobs sufficiently hazardous to pregnant women, leave may be required. However, in two cases decided last fall (*Cleveland Board of Education v. LaFleur* and *Cohen v. Chesterfield County Board of Education*) the U.S. Supreme Court upheld the reasoning of EEOC that pregnant employees, whose jobs involved such hazards, may not be terminated if alternatives other than discharge exist. Employers are required to identify and use such options which have a "lesser differential impact on women." Such alternatives include transferring women to nonhazardous jobs during their pregnancies, providing them with sick leave or leave of absence and maternity benefits, or temporarily laying them off so that, at least, seniority benefits will not be lost.

The Court further found that employer policies requiring a pregnant employee to quit her job without pay a fixed number of months before the expected birth of the child violated the Due Process Clause of the Fourteenth Amendment. The Court explained that "the freedom of personal choice in matters of marriage and family life is one of the liberties protected by the Due Process Clause and that these types of maternity leave rules directly affect that freedom." The Court observed that the EEOC regulation covering maternity leave under Title VII will "affect like suits in the future."

CORPORATIONS SPEND ABOUT \$2.25 BILLION yearly on philanthropic causes, according to The Conference Board, reports the *Industrial Relations News*. "Included in the total is \$1 billion in business expenses that support various activities which often go through the personnel department—cash grants, the donation of corporate employees for public service projects, special employment programs such as hiring former drug addicts and ex-convicts and the use of corporate facilities. The study is based on data obtained from 457 major U.S. corporations."

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COMPANIES WILL SPEND an average of \$256 per employe to run their personnel departments this year, according to the Bureau of National Affairs. Costs range from \$47 per employe in the smallest firms to \$2,121 per employe at large companies and average about 1% of the total company budget.

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